

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

NICOLE DOVE,

Plaintiff,

Case No. 1:23-cv-00182

v.

HON. ROBERT J. JONKER

COREWELL HEALTH, f/k/a
SPECTRUM HEALTH SYSTEM,

Defendant.

**COREWELL HEALTH'S MOTION TO DISMISS OPT-IN CLAIMANTS FOR
FAILURE TO COMPLY WITH THE COURT'S JUNE 29, 2023 ORDER AND FAILURE
TO APPEAR FOR THEIR DEPOSITIONS**

Corewell Health moves, pursuant to Fed. R. Civ. P. 37(b)(2), to dismiss Opt-In claimants Derek Mingerink, Elizabeth Nieder, Hayley Smith, Holly Goad, Lisa Holmes, and Sharon Harrell, because they failed to comply with the Court's June 29, 2023 Order and did not respond to Corewell Health's First Request for Production of Documents or produce responsive documents. Opt-In Claimants Mingerink, Nieder, Smith, Goad, and Holmes also failed to appear for their depositions.

Corewell Health also moves, pursuant to Fed. R. Civ. P. 37(d), for its costs and attorneys' fees incurred as a result of the Opt-In claimants' disregard of the Court's Order and failure to appear at their depositions.

This Motion is supported by the Brief and Certificate of Compliance that are being filed simultaneously with it.

MILLER JOHNSON
Attorneys for Defendant

Dated: August 29, 2023

/s/ Matthew M. O'Rourke
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CERTIFICATE OF SERVICE

I CERTIFY that on August 29, 2023, the foregoing document was electronically filed with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record via transmission of Notice of Electronic Filing generated by CKM/ECF or by U.S. first class mail for those counsel or parties who are not authorized to receive electronic Notice of Electronic Filing.

Date: August 29, 2023

/s/ Matthew M. O'Rourke
Matthew M. O'Rourke (P79019)